

CONGRESS MAINTAINS POWER TO DECLARE WAR

The SPEAKER pro tempore. Under the Speaker's announced policy of January 21, 1997, the gentleman from Colorado (Mr. SKAGGS) is recognized during morning hour debates for 5 minutes.

Mr. SKAGGS. Mr. Speaker, as the country and this body battles to find some clarity in the back and forth between the salacious and the fallacious, there are actually some significant and important things going on in Washington and in Congress.

One of those has to do with the fact that we may be on the verge of launching a NATO attack under United States leadership against the country of Yugoslavia because of the awful, awful conduct of the security forces of Yugoslavia under the direction of President Milosevic in going after innocent civilians in Kosovo.

One of the important aspects of this unfolding story and policy has to do with the question of whether, as the United States undertakes this effort, whether we do so in compliance with the requirements of our own Constitution.

Article I Section 8 of the Constitution provides very clearly that it is Congress that has the power to make war, whether it is a limited war or a more general war. The power to initiate offensive military action against another country with which we are at least nominally at peace is not a question that resides in the Executive Branch of government but here in the Legislative Branch.

Unfortunately, the history of the post World War II era in the United States is a history of the disuse and the disregard of this very important responsibility provided for in the Constitution and assigned to the Congress. Basically we have had a succession of Presidents who have asserted an ever broader definition of their exclusive authority to initiate military action.

We encounter now, in the face of the pending Kosovo matter the argument of, "Well, everyone else has done it, why can President Clinton not assert this very broad reach of presidential authority?"

The Secretary of State in testimony to Congress earlier this year basically said that it is the Administration's view that the President as commander in chief has the inherent power under the Constitution to take military action in defense of United States interests abroad as the President sees and defines them.

In the face of this post World War II history, we have a parallel and unfortunate history of congressional acquiescence. There are lots of reasons for that. Suffice it to say that, if it is in fact our responsibility that is at stake here, it is up to Congress to assert it and to protect it.

The situation in Kosovo presents a pretty stark set of facts to which this provision of our Constitution ought to apply. We recognize Yugoslavia as a

sovereign independent nation. The United States recognizes Kosovo as an integral part of Yugoslavia. It does not recognize a right to an independent Kosovo. There has been no attack by Yugoslav forces against the United States or our allies. And yet, we nonetheless propose as U.S. policy with our NATO allies to initiate an attack against Yugoslavia.

Let me say it may very well be that the behavior of Yugoslav security forces and President Milosevic is an adequate cause for war. But, again, if there were ever a case in which the war power responsibility of the Congress is clear and ought to be invoked, it is under these facts and circumstances. It is not that Congress has "a" role, is supposed to be consulted or whatever: we have "the" role in making this decision.

Remember the inherent wisdom that the framers of the Constitution had in drafting this provision as they did. They realized it would be unwise to leave with any single individual, the President of the United States, the power to take the country into war. They realized it was essential to involve the people's Representatives in Congress in such a momentous decision and to have them examine thoroughly the implications and consequences of initiating warfare. They realized that it would be important for the American people, through their representatives, to be involved from the beginning in such an undertaking because it is the people's wealth and lives that will be put at stake in any military undertaking.

We have learned since then that our own military leadership recognizes the importance of Congress taking this step at the beginning, because it means that there will be a full debate and a full effort to make sure that there is national support for such a military undertaking.

So this is the right thing for us to do. It is the right way for us to do it. It would be wrong for Congress to stand by again and permit President Clinton to take the country into war without prior authorization.

CONGRESS MUST PROVIDE LEADERSHIP ON FOREIGN POLICY MATTERS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 21, 1997, the gentleman from California (Mr. ROHRBACHER) is recognized during morning hour debates for 5 minutes.

Mr. ROHRBACHER. Mr. Speaker, as the Congress moves forward via the Committee on the Judiciary's impeachment hearings, it is useful to understand that this administration's shortcomings are not confined to extramarital affairs. Six years into this administration, our country is in jeopardy. With little awareness by the public, we are facing a multitude of critical national security threats and foreign policy debacles.

My fellow Americans, mistakes being made today imperil our children and future generations. The sad fact is that this administration has no credible foreign policy. Our weakness and vacillation emboldens tyrants throughout the world from China to Afghanistan to North Korea to Serbia to Cambodia to Iraq. It encourages these regimes to, not only brutalize their own people, but to create regional instability, to threaten Americans, and to threaten others as well with terrorism, and, for the first time, to develop and deploy technologies that directly threaten the continental United States.

How many Americans know that Communist North Korea is the largest recipient of U.S. foreign aid in Asia? In fact, Communist North Korea, this brutal regime that starves its own people to develop weapons of mass destruction, this Stalinist regime that threatens the stability of Asia is perhaps one of the top five recipients of foreign aid in the world.

How many Americans know this? How many Americans know that we have given into that regime into blackmail from that very same regime, and that is why they are receiving that foreign aid?

How many Americans know that, on the day that President Clinton visited Communist China, that that dictatorship tested a new rocket engine for a missile that can hit the United States? There was no response from President Clinton or his entourage, yet they knew that that engine was being tested.

This is the same brutal regime that represses religious believers and democratic reformers, the same regime that gets a preferential trade status enabling it to flood our markets to the tune of a \$60 billion trade surplus a year, which they then use to build weapons that may someday attack Americans.

As I speak, the select committee of the gentleman from California (Mr. COX) is finding more and more evidence that the Clinton administration has permitted the transfer of American technology to upgrade Communist Chinese missiles and other weapons systems.

How many Americans know that, due to this administration's determined opposition, that our country has no missile defense system to stop a missile whether it is from China or elsewhere from hitting the United States?

How many Americans know that the Taliban extremists in Afghanistan, who are like the Nazi's were to Jews, the Taliban are to women throughout the world, how many people know that this group, the Taliban, who are the largest exporters and suppliers of heroin in the world and have made their country into a safe haven for anti-American terrorists, that this bad bunch has had the tacit support of the Clinton administration?

How many Americans know that, due to the Clinton's administrations nonsensical military deployment and other